

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **JUDICIARY**

**Call to Order:** By **CHAIRMAN ROBERT C CLARK**, on January 6, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Robert C Clark, Chairman (R)  
Rep. Dan McGee, Vice Chairman (R)  
Rep. Diana Wyatt, Vice Chairman (D)  
Rep. Chris Ahner (R)  
Rep. Shiell Anderson (R)  
Rep. Paul Clark (D)  
Rep. Aubyn A Curtiss (R)  
Rep. Bill Eggers (D)  
Rep. Tom Facey (D)  
Rep. Steven Gallus (D)  
Rep. Gail Gutsche (D)  
Rep. Joan Hurdle (D)  
Rep. Rick Jore (R)  
Rep. Sam Kitzenberg (R)  
Rep. Brad Molnar (R)  
Rep. Mark Noennig (R)  
Rep. Jim Shockley (R)  
Rep. Loren Soft (R)  
Rep. Carol Williams (D)  
Rep. Cindy Younkin (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** John MacMaster, Legislative Services Division  
Pam Schindler, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing Date 1/6/99HB 38,HB 27,HB 28,  
Posted Date 1/4/99

Call to Order by **Chairman Robert C. Clark**. Introductions from Committee Members and Rules of Committee were shared with Committee Members. **{Tape : 1; Side : A; Approx. Time Counter : 0 - 515}{Tape : 1; Side : B; Approx. Time Counter : 515 - 705}**

**HEARING ON HB 38**

**Sponsor:**

**Rep. Ray Peck** presented opening remarks on HB 38.  
**{Tape : 1; Side : B; Approx. Time Counter : 705 - 766}**

**Proponents:**

**Greg Petesch, Code Commissioner**  
**{Tape : 1; Side : B; Approx. Time Counter : 766 - 888}**

**Opponents:**

**NONE**  
**{Tape : 1; Side : B; Approx. Time Counter : 888 - 892}**

**Informational Testimony:**

**NONE**  
**{Tape : 1; Side : B; Approx. Time Counter : 892 - 894}**

**Questions from Committee Members and Responses:**

**{Tape : 1; Side : B; Approx. Time Counter : 894 - 900}**

**Closing by Sponsor:**

**Rep. Ray Peck** closed the hearing on HB 38  
**{Tape : 1; Side : B; Approx. Time Counter : 900 - 927}**

**HEARING ON HB 27**

**Sponsor:** **Rep. Mark Noenning** presented opening remarks explaining HB 27 as an act revising provisions relating to the time for appearing and answering a summons and complaint.  
**{Tape : 1; Side : B; Approx. Time Counter : 927 - 999}{Tape : 2; Side : A; Approx. Time Counter : 0 - 43}**  
**EXHIBIT (juh03a01) EXHIBIT (juh03a02)**

**Proponents:**

**Al Smith**, Montana Trial Lawyers Association  
{Tape : 2; Side : A; Approx. Time Counter : 43 - 68}  
**Opponents:**

NONE

**Informational Testimony:**

NONE

**Questions from Committee Members and Responses:**

{Tape : 2; Side : A; Approx. Time Counter : 68 - 103}

**Closing by Sponsor:**

**Rep. Mark Noenning** closed the hearing on HB 27.  
**HEARING ON HB 28**

**Sponsor:**

**Rep. Mark Noenning** presented opening remarks that HB 28 is an act providing landlocked property owners access to block roads  
{Tape : 2; Side : A; Approx. Time Counter : 103 - 334}

**EXHIBIT (juh03a03) EXH**

**IBIT (juh03a04)**

**EXHIBIT (juh03a05)**

{Tape : 2; Side : A; Approx. Time Counter : 334 - 496}

**Proponents:**

None

**Opponents:**

**John Bloomquist**, Montana Stockgrower's Association  
{Tape : 2; Side : B; Approx. Time Counter : 524 - 614}

**Leo Berry**, BNSF  
{Tape : 2; Side : B; Approx. Time Counter : 614 - 668}

**Jana Ellis**, Montana Audubon Association  
{Tape : 2; Side : B; Approx. Time Counter : 668 - 701}

**EXHIBIT (juh03a0**

**6)**

**Stuart Doggett**, Montana and Title Association  
{Tape : 2; Side : B; Approx. Time Counter : 701 - 722}

**Informational Testimony:**

**Cary Hegreberg**, Montana Wood Products Association  
{Tape : 2; Side : B; Approx. Time Counter : 722 - 745}

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 745 - 911}

Closing by Sponsor:

**Rep. Mark Noenning** closed the hearing on HB 28  
{Tape : 2; Side : B; Approx. Time Counter : 911 - 999}{Tape : 3;  
Side : A; Approx. Time Counter : 0 - 71}

Motion/Vote: **Rep. Soft** moved to adjourn. Motion carried  
unanimously.

ADJOURNMENT

Adjournment: 10:15 a.m.

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REP. ROBERT C CLARK, Chairman

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PAM SCHINDLER, Secretary

RC/PS

**EXHIBIT** (juh03aad)